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COMMERCE & TRANSPORT (TRANSPORT) DEPARTMENT

NOTIFICATION

The 16th February 2009

S. R. O. No. 167/2009—Whereas, in view of the rapid economic development in the Eastern Region of the country and with a view to encourage movement of transport vehicle on the Inter-State routes between Orissa and West Bengal in general; improvement in the road infrastructure is the pressing need of the hour;

And, whereas, in the recent past, a high increase in the tourism transport between the two States have been observed, in particular;

And, whereas, a reciprocal agreement (hereinafter called the principal agreement) was entered into between the two States and the terms and conditions of such agreement were published in the extraordinary issue No.-1476 of the *Orissa Gazette*, dated the 9th November, 1977 in the notification of the Government of Orissa in the Commerce and Transport (Transport) Department No.15390-L.C.VII-RA-9/77-T., dated the 5th November, 1977;

And, whereas, the principal agreement is being amended from time to time by executing Supplementary Reciprocal Transport Agreement;

And, whereas, both the Governments feel it appropriate to use the improved road infrastructure including the newly constructed road under Golden Quadrilateral Scheme and as such it is highly necessary to enter into Supplementary Reciprocal Transport Agreement, 2009 with the Government of West Bengal;

And, whereas, bilateral meeting were held on the 22nd February 2007 and 15th March 2007 at Writers' Buildings, Kolkata-700001, to finalise the terms and conditions of Supplementary Reciprocal Transport Agreement;

And, whereas, the proposal of the Government of Orissa and West Bengal to enter into a Supplementary Reciprocal Transport Agreement was published as required under sub-section (5) of section 88 of the Motor Vehicles Act, 1988 (59 of 1988) (hereinafter called the said Act.) in the notification of the Government of Orissa in the Commerce & Transport (Transport) Department No. 4387-LC-IV-RA-04/07/T., dated the 14th May, 2007 in the extraordinary issue No. 857 of the *Orissa Gazette*, dated the 14th May, 2007 inviting representation in connection therewith in writing within thirty days from the date of publication of the said notification in the official gazette;

And, whereas, objection or suggestions made in the representations so received have been duly considered by the Transport Commissioner, Orissa, Cuttack;

Now, therefore, in pursuance of sub-section (6) of section 88 of the said Act, the Government of Orissa do hereby publish the Supplementary Reciprocal Transport Agreement in modification of the principal agreement arrived at between the State of Orissa and West Bengal the terms and conditions of which have been set out in the schedule below, namely :—

SCHEDULE

TERMS AND CONDITIONS OF THE SUPPLEMENTARY RECIPROCAL TRANSPORT AGREEMENT

1. The Supplementary Reciprocal Transport Agreement shall remain valid till a new agreement between the concerned two States is arrived at or the principal agreement is revoked after issue of six months notice by either of the States.

Such revocation will not, however, affect the plying of vehicles covered by a permit already issued and or countersigned under this agreement. This agreement shall be subject to revision in every six months or periodically at the instance of either State and shall come into force immediately after the necessary formalities relating to publication and consideration of objections or representations as envisaged in sub-sections (5) and (6) of section 88 of the said Act, are fulfilled.

(A) **Stage Carriage Permits:**

The list of new routes between Orissa and West Bengal are placed at **Annexure-A**. Additional service on existing routes are shown at **Annexure-B**.

A stage carriage of respective State shall pay motor vehicle taxes as per taxation Act of the respective State in respect of the portion coming under the jurisdiction in that state.

- (a) The fares and freight chargeable by the operator in the reciprocating State shall be as approved by the countersigning Authority of that State. The tickets issued by one State shall be valid in the reciprocating State.
- (b) The State Transport Authority of the reciprocating State may accord general concurrence under sub-section (7) of section 88 of the said Act for issue of temporary permit as and when required.
- (c) For the safety and convenience of passengers a stage carriage shall be allowed to ply on Inter-State routes only, if it is BS-II manufactured in the case of new / renewal of permit and replacement vehicle.
- (d) The distance mentioned against each route alongwith alignment thereof under **Annexure-A&B** is considered as shortest and direct. If any discrepancy noticed in future regarding distance of the route, the route shall be surveyed by the respective State Transport Authority and corrected through correspondences, which shall not be treated as modification of agreement.
- (e) If the total length of the route is more than 250 km., the nature of service shall be Express.
- (f) In case of a stage carriage making two trips per day, the stage carriage shall start its journey from the Home State and shall make night halt in the Home State.

- (g) On all Inter-State routes, the stage carriages of the Home State shall have precedence in timings over the stage carriages of the reciprocating State.
- (h) Unless a temporary/permanent permit granted by the Home State is countersigned by the reciprocating State no further permit on the self same route shall be granted to the permit holder except under the circumstances beyond the control of the permit holder. The permit holder while making application for subsequent grant or renewal of permit shall submit copy of previous countersignature duly authenticated.
- (i) If in the public interest it is necessary to open any new Inter-State route or to grant permit beyond the quota fixed in the Reciprocal Transport Agreement, the procedure of prior concurrence as envisaged under sub-section(7)of section 88 of the said Act shall be obtained by both the States.
- (j) Permanent/Temporary stage carriage permits granted to the nominee of Home State only in respect of routes published under sub-sections(5) and (6)of section 88 or concurrence given under sub-section (7) thereof shall be countersigned by the reciprocating State.
- (k) According to the provision of the said Act, the basis of permit would be one permit per one vehicle and vehicle number should be mentioned in each permit. Wherever in earlier notification (s), there is mention of one permit for two trips, it would now mean two permits for two vehicles to perform two trips. Besides, in cases where two vehicles are borne in one permit that would now mean two permits for two vehicles.
- (l) The stage carriages plying on Inter-State routes between Orissa and West Bengal shall carry destination board in both Bengali and Oriya languages.
- (m) Time table in respect of stage carriages plying on Inter-State routes will be rationalised by both the State Transport Authorities

notwithstanding the fact that the permit is granted or countersigned by it.

- (n) Permit holders of permanent or temporary stage carriages, whenever want to discontinue the service, shall surrender the permit before the primary permit granting Authority and intimate the fact to the Countersigning Authority. The primary permit granting Authority shall also intimate the fact of surrender of permit to the reciprocating State for record.
- (o) The primary permit granting Authority shall not vary, extend, curtail any Inter-State route until such curtailment, variation, extension is published in the official Gazette of both the States under sub-section(6) of section 88 of the said Act. Any such curtailment, variation, extension endorsed in the permanent permit by the State Transport Authority without Gazette notification under sub-section (6) of section 88 shall be revoked forthwith.
- (p) No permanent permit shall be granted nor shall be countersigned by the State Transport Authority of either of the States unless such route is published in the official Gazette of both the States under sub-section(6) of section 88 of the said Act. Any such permit issued by the State Transport Authority shall be revoked forthwith.
- (q) No standing passenger shall be allowed on any stage carriage.
- (r) Both the reciprocating States shall allow the stage carriages of the other state to pick up and set down the passengers from their respective notified bus terminals.

(B) Contract Carriages operation of motor-cabs and maxi-cabs on Substantive Permits:

The contract carriage permits for motor-cab and maxi-cab shall be countersigned by the State Transport Authority of the reciprocating State without any restriction on numbers. The motor-cab and maxi-cab shall pay the motor vehicle tax as per taxation Act of the respective State.

(C) Contract Carriages operation of motor-cabs and maxi-cabs on Temporary Permits:

Any number of temporary permits under section 87 of the said Act may be issued for motor-cabs and maxi-cabs for a maximum period of one month

by the State Transport Authority of either State for single return trip for a specified Inter-State route, connecting specified terminus without countersignature. The motor vehicle tax shall be payable to the reciprocating State for the period for which the temporary permit so issued may be valid.

(D) Operation of Private Service Vehicles on Substantive Permits:

The permits for private service vehicle shall be countersigned by the State Transport Authority of the reciprocating State without any restriction on numbers. The private service vehicle shall pay the motor vehicle tax as per taxation Act of the respective State.

(E) Operation of Private Service Vehicles on Temporary Permits:

Any number of temporary permits under section 87 of the said Act may be issued for private service vehicles for a maximum period of one month by the State Transport Authority of either State for a specified Inter-State route, connecting specified terminus without countersignature. The motor vehicle tax shall be payable to the reciprocating State for the period for which the temporary permits so issued may be valid.

(F) Goods Carriage Operation on Substantive Permits :

- (a) The goods carriage permits of each State shall be countersigned by the State Transport Authority of the other State in accordance with the provisions of sub-section (1) of section 88 of the said Act without any restriction on the number of such permits.
- (b) The goods carriage shall not pick up or set down goods between two points situated in same State other than the Home State.
- (c) The goods carriages of respective States plying on substantive permit countersigned by State Transport Authority of reciprocating state shall be liable to pay tax of Rs. 5000/- (five thousand) for minimum one year in advance for which authorization shall be issued subject to validity of substantive primary permit. Both the States may revise this tax rate mutually as and when required. Tax due to the reciprocating State shall be collected in the shape of bank draft by the permit granting authority and same will be sent to the State Transport Authority of the reciprocating State alongwith a Statement of permits issued.

(d) If the countersignature holders fail to pay tax due within two months from the date of expiry of the period for which the tax was last paid, the countersignature shall be deemed to be cancelled and if the owner applies for renewal of authorization, it may be allowed on payment of fine as admissible.

(e) No countersignature on the permit shall be granted to a goods carriage which is twelve years old or more from the date of initial registration.

(G) Goods Carriage Operation on Temporary Permit :

Transport Authority of either State without prior concurrence of the reciprocating State shall issue any number of temporary permits valid for one month for goods carriages on payment of single point tax which shall be valid in reciprocating State without countersignature. Temporary permits so issued shall be subject to the following conditions:—

(a) The vehicle shall not be used for uploading and downloading of goods between any two points lying exclusively within the jurisdiction of the reciprocating state.

(b) The vehicle shall be liable to pay the motor vehicle tax in advance to the reciprocating State. Tax due to the reciprocating state shall be collected in the shape of bank draft by the permit granting Authority and the same will be sent to the State Transport Authority of the reciprocating State alongwith a statement of permits issued.

(H) Taxation:

(a) Taxes by various kinds of vehicles covered by this Supplementary Reciprocal Transport agreement shall be payable in advance as per the provisions contained in the Motor Vehicles Taxation Act and Rules of the respective State.

(b) All transport vehicles, not covered by any agreement while operating in the other State, shall be liable to pay all the taxes leviable in the other State.

(I) Mode of payment of tax:

Both the States shall ensure recovery of tax due for reciprocating State. It shall be the duty of the permit holder of all class of vehicles, except stage carriages, to ensure payment of tax due for the other State before entering into the jurisdiction of that State. Permit holders for stage carriages shall pay tax before respective State Transport Authority.

(J) Recovery of arrear tax:

Both the States will render necessary co-operation to collect arrear tax, penalty that would be due from the vehicles of the reciprocating State.

(K) General :

- (a) The motor vehicle tax of the reciprocating State in respect of corridor (enclave portion) as per second proviso to sub-section(1) of section 88 of the said Act in reciprocating State shall be charged by the home State for the distance covered as per permit and no tax shall be charged by the reciprocating State in respect of the corridor for that distance.
- (b) The reciprocating State shall accord recognition to tax payments, authorization, and conductor licenses of motor vehicles plying on the Inter-State routes in accordance with this agreement. Each State shall provide necessary assistance to reciprocating State for collection of arrear taxes and penalty.
- (c) The vehicles owned by the Government of reciprocating State used for non-commercial purpose shall be totally exempted from payment of motor vehicles tax in the reciprocating State.
- (d) The stage carriage shall be permitted to divert their services on Inter-State routes specified in the agreement in case of construction of new road subject to the approval of concerned State Transport Authority.
- (e) Each State shall accord recognition to Tax Token, Registration Certificates, Fitness Certificate, Driving License, Conductor's License, Badges issued by the authority of reciprocating State.
- (f) The gross vehicle weight of a transport vehicle shall not exceed as per the limit fixed by the Ministry of Road Transport & Highways which should be followed by both the States.

It was further decided to open routes under Annexure-A in view of increased road infrastructure, demand of public and increase in commercial transport and tourism between the two States.

It was also decided that sub-clauses (i) and (iii) of clause 8:3 of Annexure-I of the notification dated the 17th November, 2006 as stated above in respect of extension of route Contai to Balasore upto Dhamra and Kharagpur to Balasore upto Chandbali have to be deleted in view of order of Hon'ble High Court of Orissa in OJC No.1976 of 1995.

It was further decided that the Inter-State routes Singhpur to Kolkata extended upto Olaver, Kolakata to Jajpur extended upto Bari and Kolakata to Jajpur extended upto Alakund appearing at serial nos. 1,2, and 3 of Annexure-III of the notification no.9887 dated the 17th November, 2006 shall be via: Laxmannath and the routes Erasama to Kolkata appearing at serial no.15 of Annexure-I and Dhenkanal to Kolkata appearing at serial no.3 of Annexure-V of the notification no.9887, dated the 17th November, 2006 and the routes Machhagaon to Kolkata appearing at serial no.18 of Annexure-A of SRO No.486 dated the 22nd April 1986 published in the Extraordinary issue of *Orissa Gazette* issued by the Commerce and Transport (Transport) Department shall be via: Laxmannath instead of Jamsola. Naugaon to Kolkata appearing at serial no.5 of Annexure-II of the notification no.9887 dated the 17th November, 2006 shall be via: Laxmannath instead of Jamsola.

. The State of West Bengal in Transport Department has also published similar notification no. 663/WT/7E-366/2006 dated 27th February 2007 in respect of these routes in Extraordinary issue of *Kolkata Gazette* dated 27th April, 2007.

The words "morning service" wherever appears in the Reciprocal Transport Agreements shall be deleted.

[No.1112-LC-IV-RA-4/09/T.]

By order of the Governor

P. K. JENA

Commissioner-cum-Secretary to Government

OPENING OF NEW ROUTES

Annexure-A

Sl. No.	Name of the Routes	Distance of the Route in kms.			No. of Permits		No. of Trips		Total Kms. covered		Nature of Service	Remarks
		Orissa	West Bengal	Total	Orissa	West Bengal	Orissa	West Bengal	Orissa in West Bengal	West Bengal in Orissa		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1	Angul to Khejuri via: Kamakhyanagar, Duburi, Danagadi, Jaleswar, Chandaneswar	300	70	370	2	2	2	2	..	..	Express	
2	Angul to kolkata via: Pallahara, keonjhar, karanjia, jamsola	325	208	533	2	2	2	2	..	..	Express	
3	Aska to Asansol via: Baliapadar, Buguda, Polsara, Khalikote, Bhubaneswar, Laxmannath, Durgapur, Raniganj.	460	250	710	4	4	4	4	4	4	Express	
4	Babar to Contai via: Chandbali, Bhadrak, Balasore, Ambiliatha, Egra	270	65	335	2	2	4	4	..	..	Express	
5	Balasore to Madhakali via: Jaleswar, Laxmannath	70	150	220	4	4	8	8	..	..	Ordinary	
6	Bahabalpur Muhan to Contai via: Haldipada, Basta, Jalewar, Ambiliatha, Solepeta, Egra	65	70	135	4	4	8	8	..	..	Ordinary	
7	Baliapal to Contai Via: Gandhi Chhak, Jaleswar, Ambiliatha, Egra	50	65	115	2	2	4	4	..	..	Ordinary	
8	Bargarh to Kolkata via: Keonjhar, Anandapur, Bhadrak, Laxmannath	350	208	558	2	2	2	2	..	..	Express	
9	Baripada to Contai via: Amarda Road RS. Jaleswar, Laxmannath,	73	90	163	4	4	8	8	..	..	Ordinary	1

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
10	Baripada to Contai via: Sirsapal, Amarda Road, Jaleswar Solpeta, Egra.	70	70	140	4	4	8	8	..	..	Ordinary	1
11	Baripada to Digha via: Kesiary, Rohini, Bogra, Gopi Ballavpur, Pandachhecha	40	120	160	4	4	8	8	..	..	Ordinary	
12	Baripada to Digha via: Laxmannath, Belda, Egra, Contai	73	97	170	4	4	8	8	..	..	Ordinary	
13	Baripada to Midnapur via: Amalkota, Chandua	35	80	115	4	4	8	8	..	..	Ordinary	
14	Bhograi to Itaberi via: Thana Chhak, Chandeneswar, Digha, Contai, Madhakhali	30	80	110	2	4	4	8	..	..	Ordinary	
15	Bhograi to Khejuri via: Thanachhak, Chandeneswar, Contai, Heria	30	94	124	4	4	8	8	..	..	Ordinary	
16	Bhubaneswar to Diamond Harbour via: Bidyasagarsetu, Laxmannath	266	235	501	4	4	4	4	..	..
17	Bhubaneswar to Bajkul via: Jaleswar, Solepeta, Egra, Bhagavanpur	260	105	365	4	4	4	4	..	..	Express	
18	Bhubaneswar to Bajkul via: Balasore, Jaleswar, Lax- mannath, Belda, Egra, Bhagavanpur	260	120	380	4	4	4	4	..	..	Express	1
19	Chadinipal to Khejuri via: Balasore, Jaleswar, Chandeneswar, Digha, Contai	202	88	290	2	2	4	4	..	..	Express	
20	Chandinipal to Khejuri, via: Basudevpur, Haladipada, Jaleswar, Mohanpur, Contai	172	110	282	4	4	8	8	..	..	Express	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
21	Chandinipal to Kolkata via:Dhamara,Balasore,Jaleswar,Solepeta,Egra, Contai.	175	185	360	4	4	4	4	..	..	Express	
22	Contai to Bhograi via: Chandaneswar	25	35	60	4	4	16	16	..	..	Ordinary	
23	Contai to Karanjia,via:Egra,Belda, Laxmannath, Jaleswar Amarda Rd., Baripada, Bisoi.	200	80	280	2	2	2	2	..	..	Express	
24	Dhamara to Contai via: Basudevpur, Anantapur, Gopalpur, Balasore, Jaleswar, solepeta, Egra	145	60	205	4	4	8	8	..	..	Express	
25	Dhamra to Contai, via: Basudevpur, Haladipada, Rajghat, Jaleswar, Solpeta, Egra.	169	60	229	4	4	8	8	..	..	Ordinary	
26	Ersama to Kolkata via:Cuttack,Balasore, Laxmannath, Kharagpur	345	185	530	1	1	1	1	..	..	Express	
27	Garia to Rasalpur via: Jagatsinghpur, Ctc,Bls,Chandaneswar,Di-gha,Contai	360	60	420	2	2	2	2	..	..	Express	
28	Garbeta to Bhubaneswar via: Chandrakona Road, Kharagpur, Laxmannath	285	275	560	4	4	4	4	..	..	Express	
29	Ghatal to Bhubaneswar via: Tareakeswar, Nandakumar, Bajkul, Chinsura	266	224	490	4	4	4	4	..	..	Express	
30	Haladia to Angul via:Contai, Solpeta, Balasore,Bhadrak, Danagadi, Duburi, K. nagar	336	250	586	2	2	2	2	..	..	Express	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
31	Haladia to Paradeep via: Contai, Solepeta, Ambiliatha, Balasore, Chandikhole	290	250	540	2	2	2	2	..	..	Express	
32	Itaberia to Baliapal,Contai,Egra,Sole- peta, Jaleswar	55	110	165	2	2	4	4	..	..	Ordinary	
33	Kasafal to Contai via: Langeleswar, Basta, Jaleswar, Ambiliatha, Solepeta, Matiberuan, Mohanpur, Egra	55	80	135	2	2	4	4	..	..	Ordinary	
34	Kasafal to Contai via: Langaleswar, Jamsuli, Basta, Jaleswar, Sonakania, Matiberuan, Mohanpur, Egra	60	76	136	2	2	4	4	..	..	Ordinary	1
35	Keonjhar to Contai via. Jashipur, Karanjia, Baripada, Jaleswar, Laxmannath	300	60	360	4	4	4	4	..	..	Express	
36	Kharagpur to Chandabali via. Laxmannath, Balasore	175	85	260	2	2	4	4	..	..	Express	
37	Khejuri to Baliapal via:Contai,Egra,Solpeta, Jaleswar	55	115	170	2	2	4	..	..	..	Ordinary	
38	Medinapore to Balasore via. Laxmannath	75	150	225	2	2	4	4	..	..	Ordinary	
39	Moyna to Bhubaneswar via. Temathani, Mokrampur, Belda, Laxmannath, Balasore	285	140	425	4	4	4	4	..	..	Express	
40	Nandigram to Paradeep via. Bajkul, Contai, Laxmannath, Jaleswar, Chandikhole, Express highway	325	250	575	4	4	4	4	..	..	Express	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
41	Pandachhecha to Baripada via. Mednapore	50	150	200	4	4	8	8	..	..	Ordinary	
42	Paradeep to Kolkata via Kendrapara, Chandikhole, Laxmannath	355	185	540	2	2	2	2	..	..	Express	
43	Puri to Haladia via: Jaleswar, Solepeta, matiberuan, Egra, contai, Bajkul, Nandakumar	330	150	480	4	4	4	4	..	..	Express	
44	Puri to Tamluk via: Balasore, Haladipada, Solepeta, Egra, Bhagabanpur, Bajkul	330	130	460	4	4	4	4	..	..	Express	
45	Rasulpur to BBSR via: Contai, Egra, Balda, Laxmannath, Balasore, Cuttack	270	110	380	2	2	2	2	..	..	Express	
46	Rasulpur to Jambudeep via: Contai, Egra, Mohanpur, Jaleswar, Bhadrak, Chandikhole, Kendrapada.	270	110	380	2	2	2	2	..	..	Express	
47	Madhakhali to Balasore via: Solepeta, Egra and Jaleswar	75	93	168	4	4	8	8	..	..	Ordinary	
48	Nandigram to Doshingabazar via: Contai, Egra, Solepeta, Balasore, Rasulpur, Gopalpur, Basudevpur and Dhamra.	179	110	289	4	4	4	4	..	..	Express	
49	Khejuri to Ambik via: Contai, Egra, Solepeta, Balasore, Chandikhole and Cuttack.	266	105	371	4	4	4	4	..	..	Express	
50	Contai to Paradeep via Solepeta, Egra and Jaleswar	305	37	342	4	4	4	4	..	..	Express	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
51	Contai to Rasulpur via Chandaneswar, Jaleswar, Balasore, Chandikhole, Cuttack	385	37	422	4	4	4	4	..	..	Express	
52	Bhubaneswar to Haladia via: Cuttack, Balasore, Jaleswar, Ambiliatha, Solepeta, Nandakumar	266	150	416	4	4	4	4	..	..	Express	

ADDITIONAL SERVICE ON EXISTING ROUTES

ANNEXURE-B

Sl. No.	Name of the Routes	Distance on the Routes			No. of Permits		No. of Trips		Total Km. covered		Nature of Service	Remarks
		Orissa	West Bengal	Total	Orissa	West Bengal	Orissa	West Bengal	Orissa	West Bengal		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1	Baliapal to Kolkata via:Laxmannath	59	185	244	2	2	2	2	..	..	Express	
2	Baripada to Kolkata via: Laxmannath	59	185	244	2	2	1	1	..	..	Express	
3	Baripada to Medinapur via. Khuthighat	65	..	..	2	2	2	2	..	..	Ordinary	
4	Naugaon-Kolkata via: Laxmannath	315	..	..	1	1	1	1	..	..	Express	
5	Chinsura to BBSR via: Tarakeswar, Nanda Kumar, Bajkul,Bhagabanpur, Egra, Belda, Laxmannath,	266	305	571	4	4	4	4	..	..	Express	
6	Puri to Contai via: Jaleswar Laxmannath, Belda, Egra	363	37	400	4	4	4	4	..	..	Express	
7	Puri to Contai via: Jaleswar, Chandaneswar, Udaipur, Digha	363	37	400	4	4	4	4	..	..	Express	
8	Bhubaneswar to Nandakumar via. Bajkul,Bhagabanpur, Egra, Belda, Laxmannath,	266	250	516	4	4	4	4	..	..	Express	
9	Bhanjanagar to Barakar via. Chirikipada, Polsara, Bhubaneswar, Cuttack, Balasore, Kharagpur, Durgapur.	484	291	775	2	2	2	2	..	..	Express	